

FILED

February 22 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA



**IN THE SUPREME COURT OF THE STATE OF MONTANA  
THE OFFICE OF THE CLERK OF SUPREME COURT  
HELENA, MONTANA 59620-3003**

February 22, 2010

RE: District Court Case No: DV 07-10689

**NOTICE OF FILING**

Supreme Court No.  
DA 10-0068

JOAN Y. CLARK and VICTORIA  
LYNNE SMITH,

Plaintiffs and Appellees,

v.

ROBERT ROY PENNOCK, MARILYN  
FROST, formerly known as MARILYN  
PENNOCK, DONALD R. BERNARD,  
ELIZABETH P. BERNARD, and JAMES C.  
KOCH AND THOMAS A. KOCH,

Defendants and Appellants.

Notice of Appeal was filed on February 12, 2010 and assigned the above Supreme Court case number.

PLEASE NOTE the time for filing the appellant's opening brief has NOT yet begun. Another notice will be sent when this office receives the district court record, the filing of which initiates the briefing schedule pursuant to the Montana Rules of Appellate Procedure.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ed Smith", is written over a horizontal line.

ED SMITH

Clerk of the Supreme Court